

### **REMARKS**

Claims 1-20 are pending in the above-identified application. Claims 1-20 were rejected. Claims 1-9 would be allowable if rewritten to overcome the 35 U.S.C. § 102(2) rejections cited by the Examiner. With this Amendment, claims 1, 2, 4, 10, 12, 13, 16, 17, 19 and 20 were amended. Accordingly, claims 1-20 remain at issue in the above-identified application.

#### **I. Objection to Drawings**

The Examiner objected to Figures 1-5 stating that each of these figures should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. Pursuant to 37 C.F.R. § 1.121(d), enclosed is a copy of Figures 1-5 with red ink markings showing proposed changes thereto for which approval of the Examiner is requested. The proposed changes are to correct the drawing as suggested by the Examiner and do not constitute new matter.

#### **II. Objection To Specification**

The Examiner objected to the Abstract in the Specification as not written in the proper language and format for an abstract of the disclosure. In particular, the Examiner stated that the Abstract exceeds 150 words in length.

Applicants submit the Abstract as amended is within 150 words and is in the proper language and format. No new matter has been introduced. Accordingly, Applicants respectfully request that the objection to the Abstract be removed.

#### **III. 35 U.S.C. ¶ 112(2) Indefiniteness Rejection of Claims**

The Examiner rejected Claims 1-20 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. Applicants respectfully traverse these rejections.

With respect to Claims 1, 2, 3, and 4, the Examiner argues that there is insufficient antecedent basis for the limitations "said first and second polarizing filters" (in Claims 1, 2, and 3), "said second polarizing filter" (in Claims 4), and "said first polarizing filter" (in Claims 4). Applicants respectfully disagree.

Independent Claim 1 recites the following limitation, among others:

*"...a liquid crystal display device including a light modulating means having a front surface and a back side, a first polarizing filter arranged on the front surface of said light modulating means and a second polarizing filter arranged on the back side of said light modulating means, ..."*

Applicants submit that this limitation for the liquid crystal display device including a first polarizing filter and a second polarizing filter provides the antecedent basis for the limitation "said first and second polarizing filters" in Claims 1, 2, and 3 and for the limitations "said second polarizing filter" and "said first polarizing filter" in Claim 4.

In further regards to claim 1, the Examiner noted other limitations of claim 1 ("the front surface," "the back side," "the right eye," "the left eye," "the illuminating light," "the front sides," "the image information," and "the user") that have insufficient antecedent basis.

Applicants submit that claim 1 has been amended to correct these antecedent informalities noted by the Examiner.

In further regards to claim 2, the Examiner stated that there is insufficient antecedent basis for the limitation "the facing linear polarizing filter lines." Applicants have amended claim 2 to remove this limitation and submit that claim 2 as amended recites limitations consistent with at least the liquid crystal display device embodied in Fig. 9. (See Application, pg. 17 line 20 - pg. 18 line 5).

With regards to Claim 4 and Claim 13, the Examiner argued that there is insufficient antecedent basis for the limitation "the driving states." Applicants have amended Claims 4 and 13 to correct for these antecedent informalities.

With regard to Claim 7, the Examiner states that there is insufficient antecedent basis for the limitations "the reflected light" and "the user's head." Applicants have amended Claim 7 to remove the unnecessary limitation of "the reflected light" and to correct the limitation to recite "the viewer's head," which is first defined in Claim 1 upon which Claim 7 depends.

With respect to Claims 12 and 13, Applicants have amended claims 12 and 13 to correct for the antecedent informalities noted by the Examiner for these claims.

Applicants have also amended Claim 16 to now depend from claim 15 as suggested by the Examiner to correct for the antecedent informality with the limitation "said dichromic molecules."

With respect to Claim 19, the Examiner stated that the limitation "the light incident" lacks antecedent basis. Applicants have amended claim 19 to correct for this antecedent informality.

The Examiner stated that at least Claims 1-9 would be allowable if amended to overcome the rejection(s) under 35 U.S.C. 112. Applicants submit that antecedent informalities noted by

the Examiner for Claims 1-4, 7, 10, 12, 13, 16, and 19 have been addressed and these claims are in condition for allowance. Accordingly, Applicants respectfully request that these section 112 rejections be withdrawn.

**IV. 35 U.S.C. § 103(a) Obviousness Rejection of Claims**

Claims 10, 11, and 20 were rejected under 35 U.S.C. § 103(a) as being purportedly unpatentable over Ma et al., US Patent No. 6,344,887. Applicants respectfully traverse this rejection.

Regarding claims 10, 11, and 20, Applicants submit herewith a declaration under 37 C.F.R. § 1.131 signed by the named inventors showing prior conception of Applicants' invention before the effective date of the Ma patent and showing subsequent diligence in reducing to the invention to practice. A foreign priority filing date in a section 119 case constitutes reduction to practice for antedating a cited reference. In re Mulder, 716 F.2d 1542, 219 USPQ 189 (Fed. Cir. 1983); See also, 35 USC 104 ("an applicant for a patent ... may not establish a date of invention by reference to ... activity ... in a foreign country ... other than a WTO member country") and 35 USC 119 (establishing that "right of priority" extends to application previously filed in a foreign country that affords similar privileges to U.S. citizens).

Applicants have requested and will later file a certified English language translation of the Japanese priority application cited in the § 1.131 declaration to establish constructive reduction to practice. Accordingly, Applicants respectfully submit that Claims 10, 11 and 20 are patentable over Ma.

**CONCLUSION**

In view of the above amendments and remarks, Applicants submit that all claims now pending are clearly allowable over the cited prior art, and respectfully requests early and favorable notification to that effect. If the Examiner believes that a conference would be of value in expediting the prosecution of this application, the Examiner is invited to telephone the undersigned counsel to arrange for such a conference.

Respectfully submitted,

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